

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA

v.

ANDREW VENEGAS

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CRIMINAL NO. 4:23-cr-00346-S1

UNITED STATES' MOTION FOR
PRELIMINARY ORDER OF FORFEITURE

The United States of America moves for a Preliminary Order of Forfeiture, and, in support, of this motion states:

On March 11, 2025, Andrew Venegas ("Defendant") pleaded guilty to Counts One, Two, Three, Six and Nine of the Superseding Criminal Indictment. Counts One, Two and Three charge Defendant with **Sexual Exploitation of Children**, in violation of Title 18, United States Code, Section 2251 (a) and (e). Count Six charges Defendant with **Receipt of Child Pornography**, in violation of Title 18, United States Code, Section 2252A(a)(2)(B) and (b)(1). Count Nine charges Defendant with **Possession of Child Pornography** in violation of Title 18, United States Code, Section 2252A(a)(5)(B) and (b)(2).

The Superseding Criminal Indictment provided the Defendant notice that, in the event of his conviction, the United States would seek to forfeit, pursuant to Title 18 U.S.C Sections 2253(a)(2) and (a)(3), all property, real and personal, constituting or traceable to gross profits or other proceeds obtained from the offenses charged in Counts One through Nine; and all property, real and personal, used or intended to be used to commit or to promote the commission of the offenses charged in Counts One through Nine, or any property traceable to such property. Such property includes but not limited to:

- 1) Alienware Dell Laptop bearing serial number 1C1R563;
 - 2) Apple iPhone belonging to Defendant collected on July 12, 2023;
 - 3) Additional Alienware Dell Laptop collected on July 12, 2023;
 - 4) Xbox Series S collected on July 12, 2023;
 - 5) HP PC Series Tower Pavilion Model 400-224 bearing serial number 4CI4370J8C;
 - 6) Black 8GB Samsung SM-T230NU bearing serial number R52FB005EQT; &
 - 7) Black Samsung SM-A205U Cellular Phone (item 1B25) IMEI: 355369103301040,
- (the “electronic devices”).

In determining the requisite nexus between the seized electronic equipment and the offenses of conviction as required by Rule 32.2(b)(1)(A), the Court may consider evidence already in the record. *See* Fed.R.Crim.P. 32.2(b)(1)(B). The evidence in this record establishes the requisite nexus between the seized electronic devices and the offenses of conviction, specifically, the Defendant used the electronic devices to receive, view, and possess multiple images and files depicting child pornography, and to sexually exploit children.

Accordingly, the United States now moves pursuant to Rule 32.2(b) of the Federal Rules of Criminal Procedure for the entry of a Preliminary Order of Forfeiture, forfeiting the seized electronic devices to the United States.

Respectfully submitted,

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Southern District of Texas

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CERTIFICATE OF CONFERENCE

The Defendant has agreed to this Motion of Preliminary Order of Forfeiture forfeiture through his plea agreement.

s/ Tyler Foster
Tyler Foster
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

A true and correct copy of this pleading was served on counsel of record via electronic filing on May 2, 2025.

s/ Tyler Foster
Tyler Foster
Assistant U.S. Attorney